

AMENDED IN SENATE JUNE 21, 2006

AMENDED IN ASSEMBLY MAY 22, 2006

AMENDED IN ASSEMBLY MAY 8, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1784

Introduced by Assembly Member Chu

January 4, 2006

An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1784, as amended, Chu. State claims.

Existing law requires the Attorney General to report to the Legislature when there is not a sufficient appropriation available for the payment of a claim against the state.

This bill would appropriate specified sums of money from the General Fund to various state agencies to pay a judgment and settlement claims in specified cases. The bill would specify that any funds appropriated in excess of the amounts actually required for these purposes would revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The sum of four hundred fifty thousand dollars
2 (\$450,000) is hereby appropriated from the General Fund to the
3 California Department of Justice to pay for the settlement in the
4 case of Michael Gatti v. Department of Parks and Recreation
5 (Santa Barbara County Superior Court, Case No. 01158947).
6 Any funds appropriated in excess of the amounts actually
7 required for the payment of this settlement claim shall revert to
8 the General Fund on June 30 of the fiscal year in which the final
9 payment is made.

10 SEC. 2. The sum of nine hundred forty-two thousand dollars
11 (\$942,000) is hereby appropriated from the General Fund to the
12 California Department of Justice to pay for the prefilng
13 settlement in the case of Schoenstein et al. v. Department of
14 Parks and Recreation (Attorney General case file—~~number~~ No.
15 SA2005103108). Any funds appropriated in excess of the
16 amounts actually required for the payment of this settlement
17 claim shall revert to the General Fund on June 30 of the fiscal
18 year in which the final payment is made.

19 SEC. 3. The sum of two hundred thirty-eight thousand five
20 hundred dollars (\$238,500) is hereby appropriated from the
21 General Fund to the Department of Justice to pay for the
22 settlement in the case of Foundation for Taxpayer and Consumer
23 Rights v. Garamendi (Los Angeles County Superior Court, Case
24 ~~Number~~ No. BS086235). Any funds appropriated in excess of the
25 amounts actually required for the payment of this judgment claim
26 shall revert to the General Fund on June 30 of the fiscal year in
27 which the final payment is made.

28 SEC. 4. The sum of five hundred forty-three thousand dollars
29 (\$543,000) is hereby appropriated from the General Fund to the
30 Department of Parks and Recreation to pay for the settlement in
31 the case of State Department of Parks and Recreation v. Lake
32 Oroville Area Public Utilities District et al. (Butte County
33 Superior Court, Case—~~Number~~ No. 124772). Any funds
34 appropriated in excess of the amounts actually required for the
35 payment of this judgment claim shall revert to the General Fund
36 on June 30 of the fiscal year in which the final payment is made.

37 SEC. 5. The sum of six hundred one thousand dollars
38 (\$601,000) is hereby appropriated from the General Fund to the

1 Department of Housing and Community Development to pay for
2 the settlement in the case of Vega et al. v. Richard Mallory, the
3 California Department of Housing and Community Development
4 et al. (Sacramento County Superior Court, Case No.
5 97AS06548). Any funds appropriated in excess of the amounts
6 actually required for the payment of this judgment claim shall
7 revert to the General Fund on June 30 of the fiscal year in which
8 the final payment is made.

9 SEC. 6. The sum of sixty-four thousand two hundred dollars
10 (\$64,200) is hereby appropriated from the General Fund to the
11 California Department of Justice to pay for the settlement in the
12 case of California Republican Party, et al. v. Fair Political
13 Practices Commission. (United States District Court for the
14 Eastern District of California, Case-# No. Civ. S-04-2144 FCD
15 PAN.). Any funds appropriated in excess of the amounts actually
16 required for the payment of this judgment claim shall revert to
17 the General Fund on June 30 of the fiscal year in which the final
18 payment is made.

19 SEC. 7. The sum of five hundred twenty-five thousand five
20 hundred dollars (\$525,500) is hereby appropriated from the
21 General Fund to the California Department of Justice to pay for
22 the judgment in the case of D & L Concrete Pumping, Inc v.
23 Vahdani Group et al. (City and County of San Francisco Superior
24 Court, Case-~~Number~~ No. 308131). Any funds appropriated in
25 excess of the amounts actually required for the payment of this
26 judgment claim shall revert to the General Fund on June 30 of
27 the fiscal year in which the final payment is made.

28 SEC. 8. *The sum of one hundred eighty-seven thousand five*
29 *hundred dollars (\$187,500) is hereby appropriated from the*
30 *General Fund to the Department of Justice to pay for the*
31 *settlement in the case of Waverly Clemons et al. v. County of*
32 *Sacramento et al. (Sacramento County Superior Court, Case No.*
33 *346512). Any funds appropriated in excess of the amounts*
34 *actually required for the payment of this judgment claim shall*
35 *revert to the General Fund on June 30 of the fiscal year in which*
36 *the final payment is made.*

37 SEC. 9. *The sum of three million dollars (\$3,000,000) is*
38 *hereby appropriated from the General Fund to the Department of*
39 *Forestry and Fire Protection to pay for the settlement in the case*
40 *of Leo Zupancic v. Department of Forestry, State of California*

1 *(State of California Workers' Compensation Appeals Board,*
2 *Case No. SJO 0217754). Any funds appropriated in excess of the*
3 *amounts actually required for the payment of this judgment claim*
4 *shall revert to the General Fund on June 30 of the fiscal year in*
5 *which the final payment is made.*

6 ~~SEC. 8.~~

7 *SEC. 10.* This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety
9 within the meaning of Article IV of the Constitution and shall go
10 into immediate effect. The facts constituting the necessity are:

11 In order to pay judgments and settlement claims against the
12 state and end hardship to claimants as quickly as possible, it is
13 necessary for this act to take effect immediately.